

## **Chapter 7D**

### **WIRELESS TOWERS**

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#### **7D.1 Purpose**

- A. Purpose. The purpose of this Chapter is to provide specific regulations for the placement, construction and modification of personal wireless service facilities. The provisions of this Chapter are not intended to and shall not be interpreted to prohibit the provision of personal wireless services, nor shall they be applied so as to unreasonably discriminate between providers of functionally equivalent personal wireless services. To the extent that any provision of this Chapter is inconsistent or in conflict with any other provision of this Ordinance or any ordinance of the City, the provisions of this Chapter shall control.
- B. The purpose of this Chapter is to also establish general guidelines for the siting of wireless communications towers and antennas. The goals of this Chapter are to:
  - 1. Protect residential areas and land uses from potential adverse impacts of towers and antennas, and to encourage the location of towers in non-residential areas;
  - 2. Minimize the total number of towers throughout the community and encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers;
  - 3. Encourage users of towers and antennas to locate them in areas where the adverse impact on the community is minimal, and to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening and innovative camouflaging techniques;
  - 4. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently;
  - 5. Consider the impact of communications towers on the public health and safety, and avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

In furtherance of these goals, the City shall give due consideration to the City's comprehensive planning documents, zoning map, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.

- C. When reviewing any request for approval required under this Chapter, the City shall act within a reasonable period of time after the request is filed, taking into account the nature and scope of the request. Any decision to deny such a request shall be in writing and supported by substantial evidence contained in a written record.

## **7D.2 Definitions**

As used in this Chapter, the following terms shall have the meanings set forth below:

**Alternative Tower Structure:** shall mean man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

**Antenna:** shall mean any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications, which radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

**Antenna Support Structure:** shall mean any structure utilized for the principal purpose of supporting an antenna.

**Backhaul Network:** shall mean the lines that connect a provider's tower/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

**FAA:** shall mean the Federal Aviation Administration.

**FCC:** shall mean the Federal Communications Commission.

**Height:** shall, when referring to a tower or other structure, mean the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

**Pre-Existing Towers, Pre-Existing Antennas:** shall mean any tower or antenna for which a building permit, special use permit, or similar approval has been properly granted prior to the effective date of this Chapter 7D, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.

**Tower:** shall mean any structure designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like, as well as the structure and any support thereto.

## **7D.3 General Provisions**

- A. **New Towers and Antennas:** All new towers or antennas in the City shall be subject to these regulations, except as provided in Sections 7D.3.B through 7D.3.D, inclusive.
- B. **Amateur Radio Station Operators and Receive Only Antennas.** This Section shall not govern any tower or the installation of any antenna, less than 70 feet in height and owned and operated by a federally-licensed amateur radio station operator, or any tower or antennas when used exclusively for receive only use. Said antennas are governed by Section 7D.3.P, herein.

- C. Pre-existing Towers or Antennas. Pre-existing towers and pre-existing antennas shall not be required to meet the requirements of this Chapter, other than the requirements of Sections 7D.3.E.6 and 7D.3.E.7 herein.
- D. AM Array. For purposes of implementing this Chapter, an AM array, consisting of one or more tower units and supporting ground system which functions as one AM broadcasting antenna, shall be considered one tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.
- E. General Requirements
  - 1. Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.
  - 2. Lot Size. For purposes of determining whether the installation of a tower or antenna complies with zoning district regulations, including but not limited to setback requirements, lot-coverage requirements and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot.
  - 3. Inventory of Existing Sites. Each applicant for an antenna and/or tower shall provide to the Community Development Director an inventory of existing towers, antennas, or sites approved for towers and antennas, that are either within the jurisdiction of the City or within 1½ miles of the corporate border, including specific information about the location, height and design of each tower. The Community Development Director may share such information with other applicants applying for administrative approvals or special use permits, or other organizations seeking to locate antennas within the City, provided that the Community Development Director is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
  - 4. Aesthetics. Towers and antennas shall meet the following requirements:
    - a. Towers shall maintain a galvanized steel finish or, subject to applicable standards of the FAA, be painted a neutral color to reduce visual impact.
    - b. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting, surrounding land uses, and buildings.
    - c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

- d. Barbed or razor wire fencing is not permitted.
  - e. Prior to the issuance of a building permit for a tower, the applicant shall obtain approval of tower materials and colors, exterior building design, site lighting and landscaping through the City's project review procedures.
- 5. Lighting. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen shall cause minimal disturbance to the surrounding views.
  - 6. State or Federal Requirements. All towers shall meet or exceed current standards and regulations of the FAA, the FCC, and any other state or federal government agency with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas shall bring them into compliance with said standards and regulations within six months of their effective date, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to achieve such compliance shall constitute grounds for the removal of the tower or antenna at the owner's expense.
  - 7. Building Codes and Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall maintain it in compliance with standards contained in applicable state or City building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the City concludes that a tower fails to comply with such codes and standards and that it constitutes a danger to persons or property, then upon written notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. Failure to achieve such compliance within said 30 days shall constitute grounds for the removal of the tower or antenna at the owner's expense.
  - 8. Measurement. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the City irrespective of municipal and county jurisdictional boundaries.
  - 9. Not Essential Services. Towers and antennas shall be regulated and permitted pursuant to this Chapter and shall not be regulated or permitted as essential services, public utilities or private utilities.
  - 10. Franchises. Owners and/or operators of towers or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless communication system in the City have been obtained and shall file a copy of all required franchises with the Community Development Director.
  - 11. Public Notice. For purposes of this Chapter 7D, any special use request, variance request, or appeal of an administratively approved use or special use shall require public notice to all abutting property owners and all property owners of

properties that are located within the corresponding separation distance listed in Table 7D.1 herein, in addition to any other notice required by this Ordinance.

12. Signs. No signs shall be allowed on an antenna or tower unless required by the FAA or FCC or other applicable authority.
13. Buildings and Support Equipment. Buildings and support equipment associated with antennas or towers shall comply with the requirements of Section 7D.2.I herein.
14. Multiple Antenna/Tower Plan. The City encourages the users of towers and antennas to submit a single application for approval of multiple towers and/or antenna sites.

F. Permitted Uses. Antennas or towers located on property owned, leased, or otherwise controlled by the City, provided a license, lease, or similar means of approval authorizing such antenna or tower has been issued by the City, are deemed to be permitted uses and shall not require administrative approval or a special use permit.

G. Administratively Approved Uses

1. General. The following provisions shall govern the issuance of administrative approvals for towers and antennas.
  - a. The Community Development Director may administratively approve the uses listed in this Section 7D.3.G.
  - b. Each applicant for administrative approval shall apply to the Community Development Director providing the information required herein and a nonrefundable fee as established by the City Council to reimburse the City for the costs of reviewing the application.
  - c. The Community Development Director shall review the application for administrative approval and determine if the proposed use complies with applicable sections of this Ordinance.
  - d. The Community Development Director shall respond to each such application within 120 days after receiving it by either approving or denying the application. If the Community Development Director fails to respond to the applicant within said 120 days, then the application shall be deemed to be approved.
  - e. In connection with any such administrative approval, the Community Development Director may, in order to encourage shared use, administratively waive any zoning district setback requirements in Section 7D.3.H.2.d or separation distances between towers in Section 7D.3.H.2.e by up to 50 percent.
  - f. In connection with any administrative approval, the Community Development Director may, in order to encourage the use of monopoles,

administratively allow the reconstruction of an existing tower to monopole construction.

- g. If an administrative approval is denied, the applicant shall file an application for a special use permit prior to filing any appeal that may be available under this Ordinance.

2. List of Administratively Approved Uses. The following uses may be approved by the Community Development Director after administrative review:

- a. Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, in any manufacturing district.
- b. Locating antennas on existing structures or towers consistent with the terms of these regulations.

1) Antennas on existing structures. Any antenna not attached to a tower may be approved by the Community Development Director as an accessory use to any commercial, industrial, professional, institutional, or multi-family structure of eight or more dwelling units, provided the (a) the antenna does not extend more than 30 feet above the highest point of the structure, (b) it complies with all applicable FCC and FAA regulations, and (c) and it complies with all applicable building codes.

2) Antennas on existing towers. An antenna attached to an existing tower may be approved by the Community Development Director. To minimize adverse visual impacts associated with the proliferation and clustering of towers, collocation of antennas by more than one carrier on existing towers shall take precedence over the construction of new towers, provided such collocation is accomplished in a manner consistent with the following:

(a) A tower which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same tower type as the existing tower, unless the Community Development Director allows reconstruction as a monopole.

(b) Height. An existing tower may be modified or rebuilt to a taller height, not to exceed 30 feet over the tower's existing height, to accommodate the collocation of an additional antenna. The change in height referred to in this Section and herein may only occur one time per communication tower. The additional height referred to in this Section herein shall not require an additional distance separation as set forth in herein. The tower's pre-modification height shall be used to calculate such distance separations.

- (c) Onsite location. A tower which is being rebuilt to accommodate the collocation of an additional antenna may be moved onsite within 50 feet of its existing location. After the tower is rebuilt to accommodate collocation, only one tower may remain on the site. A relocated onsite tower shall continue to be measured from the original tower location for purposes of calculating separation distances between towers. The relocation of a tower shall in no way be deemed to cause a violation of these regulations. The onsite relocation of a tower which comes within the separation distances to residential units or residentially zoned lands as established herein shall only be permitted when approved by the Community Development Director.

## H. Special Use Permits

1. General. The following provisions shall govern the issuance of special use permits for towers or antennas by the City Council:
  - a. If the tower or antenna is not a permitted use under these regulations or allowed to be approved administratively, then a special use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts.
  - b. Applications for special use permits under this Chapter shall be subject to the procedures and requirements of this Ordinance, except as modified herein.
  - c. In granting a special use permit, the City Council may impose conditions which it believes are necessary to minimize any adverse effect of the proposed tower on adjoining properties.
  - d. Any information of an engineering nature that the applicant submits, whether civil, mechanical or electrical, shall be certified by a licensed professional engineer.
  - e. An applicant for a special use permit shall submit the applicable information described herein and a non-refundable fee established by the City Council to reimburse the City for the costs of reviewing the application.
2. Towers
  - a. Information required. In addition to any information required for applications for special use permits pursuant to this Ordinance, applicants for a special use permit for a tower shall submit the following information:
    - 1) A site plan drawn to scale and clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning,

adjacent land uses and zoning, the comprehensive plan land use designation for the site and all properties within the applicable separation distances set forth herein, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower and any other structures, topography, parking and other information deemed by the Community Development Director to be necessary to assess compliance with this Chapter.

- 2) A legal description of the subject tract and, if applicable, the leased parcel.
  - 3) The setback distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties.
  - 4) The separation distance from other towers described in the inventory of existing sites shall be shown on an up-to-date site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.
  - 5) A landscape plan showing prepared in accordance with the City's project review standards and guidelines, suitable for submission to the Community Development Director for its review and approval.
  - 6) Method of fencing, the finished color, and if applicable, methods of camouflage and illumination.
  - 7) A notarized statement signed by the applicant attesting to their compliance with applicable Sections contained herein, and all applicable federal, state or local laws and indicating whether or not construction of the tower will accommodate collocation of additional antennas for future users.
  - 8) Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the City.
  - 9) A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower.
  - 10) A description of feasible location(s) of future towers or antennas within the City based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.
- b. Factors Considered in Granting Special Use Permits for Towers. In addition to any standards for consideration of special use permit



applications pursuant to this Ordinance, the Plan Commission and City Council shall consider the following factors in determining whether to issue a special use permit. The City Council may, however, waive or reduce the burden on the applicant of one or more of these criteria if it is concluded that the goals of this Chapter better served thereby:

- 1) Height of the proposed tower and its proximity to residential structures and residential district boundaries;
  - 2) Nature of uses on adjacent and nearby properties;
  - 3) Surrounding topography, tree coverage and foliage, and natural features;
  - 4) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
  - 5) Proposed ingress and egress; and
  - 6) Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures, as discussed herein.
- c. Availability of Suitable Existing Towers, Other Structures or Alternative Technology. A new tower shall not be permitted unless the applicant demonstrates to the reasonable satisfaction of the City Council that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antenna. An applicant shall submit information related to the availability of suitable existing towers, other structures, or alternative technology. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:
- 1) No existing towers or structures are located within the geographic area which meets the applicant's engineering requirements.
  - 2) Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
  - 3) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
  - 4) The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.

- 5) The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
  - 6) The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
  - 7) The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable micro cell network using multiple low-powered transmitters/receivers attached to a wire line system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.
- d. Setbacks. The following setback requirements shall apply to all towers for which a special use permit is required; however, the City Council may reduce the standard setback requirements if the goals of this Chapter are better served:
- 1) Towers must be set back a distance equal to at least 75 percent of the height of the tower from any adjoining lot or property line.
  - 2) Guys and accessory buildings must satisfy the minimum zoning district setback requirements.
  - 3) Towers located in the M-1 Light Manufacturing zoning district and the M-2 Heavy Manufacturing zoning district that abut a state highway must be set back a distance equal to at least 50 percent of the height of the tower from the state highway.
- e. Separation. The following separation requirements shall apply to all towers and antennas for which a special use permit is required, however, the City Council may reduce the standard separation requirements if the goals of this Chapter are better served.
- 1) Separation from off-site uses/designated areas.
    - (a) Tower separation shall be measured from the base of the tower to the lot or property line of the off-site uses and/or designated areas as specified or otherwise provided for in Table 7D.1.
    - (b) Separation requirements for towers shall comply with the minimum standards established in Table 7D.1.
  - 2) Separation distances between towers. Separation distances between towers shall apply to and be measured between the proposed tower and pre-existing towers. Separation distances shall be measured by drawing or following a straight line between the base of the existing

tower and the base of the proposed tower. Separation distances listed in linear feet shall be as shown in Table 7D.2.

- f. Security fencing. Towers shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anti-climbing device. The City Council may, however, waive such requirements, as it deems appropriate.
- g. Landscaping. The following requirements shall govern the landscaping surrounding towers for which a special use permit is required..
  - 1) Tower facilities shall be landscaped with a plant material buffer that screens the view of the tower compound from property used or zoned for residential purposes. At a minimum, the buffer shall consist of a landscaped strip at least four feet wide outside the perimeter of the compound. In locations where the visual impact of the tower will be minimal, the landscaping requirement may be reduced by the Community Development Director.
  - 2) Existing mature tree growth and natural land forms on the site shall be preserved to the greatest extent possible. In some cases, such as towers sited on large, wooded lots, existing natural growth around the perimeter of the property may be a sufficient buffer.
  - 3) Landscaping plans shall be submitted to the Community Development Department for required review and approval prior to the issuance of a required building permit.

<b>Table 7D.1: Separation Distance Between Towers and Off-site Uses</b>	
Off-Site Use/Designated Area:	Separation Distance:
Detached single-family residential units	500 feet or 300% height of tower whichever is greater
Vacant residentially zoned land which is either platted or has preliminary subdivision plat approval which is not expired	400 feet or 300% height of tower whichever is greater.
Vacant unplatted residentially zoned land, including any unplatted residential use properties without a valid preliminary subdivision plan or valid development plan approval and any R3 or R4 residentially zoned land.)	100 feet or 150% height of tower whichever is greater
Existing multi-family residential units greater than duplex units	100 feet or 150% height of tower whichever is greater
Non-residentially zoned lands or non-residential uses	None; only setbacks apply

<b>Table 7D.2: Separation Distances Between Towers</b>				
	Lattice	Guyed	Monopole ≥ 75 feet tall	Monopole ≤ 75 feet tall
Lattice	5,000	5,000	1,500	750
Guyed	5,000	5,000	1,500	750
Monopole ≥ 75 feet tall	1,500	1,500	1,500	750
Monopole ≤ 75 feet tall	750	750	750	750

I. Buildings or Other Equipment Storage

1. Antennas Mounted on Structures or Rooftops. The equipment cabinet or structure used in association with antennas shall comply with the following:
  - a. The equipment cabinet or structure shall not contain more than 300 square feet of gross floor area or be greater than 15 feet in height. In addition, for buildings and structures which are less than 50 feet in height, the related unmanned equipment structure, if having 150 or more square feet of gross floor area or a height of 10 or more feet, shall be located on the ground and not on the roof of the structure.
  - b. If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment and structures shall not occupy more than 150 square feet or 20 percent of the roof area, whichever is greater.
  - c. Equipment storage buildings or cabinets shall comply with all applicable building codes.
2. Antennas Mounted on Utility Poles or Light Poles. The equipment cabinet or structure used in association with antennas shall be located in accordance with the following:
  - a. In residential districts, the equipment cabinet or structure may be located:
    - 1) In a side yard provided the cabinet or structure is no greater than four feet in height or 24 square feet in gross floor area, and the cabinet/structure is located a minimum of five feet from all lot lines. The cabinet/structure shall be screened by an evergreen hedge with an ultimate height of at least 42 to 48 inches and a planted height of at least 36 inches.
    - 2) In a rear yard, provided the cabinet or structure is no greater than six feet in height or 24 square feet in gross floor area. The cabinet/structure shall be screened by an evergreen hedge with an ultimate height of eight feet and a planted height of at least 36 inches.
    - 3) The cabinet or structure may not be located in a front yard or side yard abutting a street.
  - b. In commercial or industrial districts the equipment cabinet or structure shall be no greater than six feet in height or 64 square feet in gross floor area. The structure or cabinet shall be screened by an evergreen hedge with an ultimate height of eight feet and a planted height of at least 36 inches. In all other instances, structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by a solid fence six feet in height or an evergreen hedge with an ultimate height of eight feet and a planted

height of at least 36 inches. The cabinet or structure may not be located in a front yard or side yard abutting a street.

3. Antennas Located on Towers. The related unmanned equipment structure shall not contain more than 300 square feet of gross floor area or be more than 15 feet in height, and shall be located in accordance with the minimum yard requirements of the zoning district in which located.
4. Modification of Building Size Requirements: The requirements of Sections 7D.3.I.1.a and 7D.3.I.1.b may be modified by the Community Development Director in the case of administratively approved uses or by the City Council in the case of uses permitted by special use to encourage collocation.

N. Removal of Abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within 90 days of receipt of notice from the City advising the owner of such abandonment. Failure to remove an abandoned antenna or tower within said 90 days shall be grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

O. Nonconforming Towers or Antennas

1. Expansion of Non-Conforming Use. Towers and antennas constructed or installed in accordance with the provisions of this Chapter shall not be deemed to constitute the expansion of a nonconforming use or structure.
2. Pre-existing Towers. Pre-existing towers shall be allowed to continue their usage as they presently exist. Routine maintenance, including replacement with a new tower of like construction and height, shall be permitted on such pre-existing towers. New construction other than routine maintenance on a pre-existing tower shall comply with the requirements of this Chapter.
3. Rebuilding Damaged or Destroyed Nonconforming Towers or Antennas. Notwithstanding Section 7D.3.N herein, nonconforming towers or antennas that are damaged or destroyed may be rebuilt without having to first obtain administrative approval or a special use permit, and without having to meet the separation requirements specified herein. The type, height and location of the tower onsite shall be of the same type and intensity as the original tower. Building permits to rebuild the facility shall comply with the building codes in effect at the time of permit application and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained within said 180 days or if said permit expires, the tower or antenna shall be deemed abandoned as specified herein.

P. Amateur Radio Facilities with Surface Area Over 10 Square Feet. In any zoning district, any antenna and antenna support structure having a combined surface area greater than 10 square feet or having any single dimension exceeding 12 feet that is capable of transmitting and/or receiving signals and is licensed by the FCC as an amateur radio facility or is capable of receiving signals must satisfy each of the following conditions:

1. Number Limited. No more than one such antenna support structure with a surface area greater than 10 square feet or any single dimension exceeding 12 feet may be located on any zoning lot.
2. Height Limited. No such antenna support structure shall, if ground mounted, exceed 75 feet in height or, if attached to a building pursuant to these regulations, the height herein specified.
3. Attachment to Buildings Limited. No such antenna or its support structure shall be attached to a principal or accessory structure unless all of the following conditions are satisfied:
  - a. Height. The antenna and its support structure shall not extend more than 20 feet above the highest point of the building or structure on which it is mounted.
  - b. Mounting. The antenna and its support structure shall not be attached to or mounted upon any building appurtenance, including a chimney. The antenna and its support structure shall not be mounted or attached to the front of any principal building or to the side of any building facing a street, including any portion of the building roof facing any street. The antenna and its support structure shall be designed to withstand a wind force of 80 miles per hour on its own and without the support of guy wires.
  - c. Grounding. The antenna and its support structure shall be bonded to a grounding rod.
  - d. Other Standards. The antenna support structure shall satisfy such other design and construction standards as the Building Commissioner reasonably determines are necessary to ensure safe construction and maintenance of the antenna and its support structure.
4. Setback from Street. No such antenna or its support structure shall be erected or maintained closer to any street than the wall of the principal building to which it is accessory that is nearest to such street.
5. Setbacks from Adjacent Buildings. No such antenna or its support structure shall be located in any required side yard or nearer than one-half the height of the antenna and support structure to any habitable building on any adjacent property.
6. Additional Regulations for Antennas and Antenna Support Structures in All Zoning Districts.
  - a. Certificate of Compliance. In addition to any other provisions, no antenna or antenna support structure permitted under this Chapter shall be constructed, altered or enlarged in the City unless a certificate of zoning compliance has been issued by the Community Development Director. An application for such certificate shall be accompanied by

two sets of plans, two plats of survey, and electrical, construction and design specifications drawn to scale and showing locations, heights, structural design, and any other pertinent information or certifications deemed necessary by the Community Development Director to demonstrate compliance with all provisions of this Ordinance and the City's building codes.

- b. Unless specifically provided to the contrary, when the regulations of this Chapter are more restrictive than any other regulations generally applicable within the zoning districts, the provision of this Chapter shall apply.
- c. For purposes of this Chapter, the surface area of an antenna and its support structure shall be determined by adding together the actual surface area of each solid element or part of the antenna or its support structure, where "solid" is defined to include all air spaces that are fully bounded by solid elements.
- d. Except as otherwise expressly provided in this Chapter, all such antennae and antennae support structures shall be subject to all the provisions of this Ordinance applicable to accessory uses and structures.
- e. The foregoing special regulations shall not apply to antennae and antennae support structures owned or maintained by the City.